

Below is the Order of the Court.



Marc Barreca
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

MARC BARRECA
United States Bankruptcy Judge
700 Stewart Street, Room 7106
Seattle, WA 98101
(206) 370-5310

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

HAYLEY MARIE ROBINSON,
Debtor(s).

OSCAR LEE OLIVE, IV,
Plaintiff,

v.

HAYLEY MARIE ROBINSON, an individual
Defendant,

Defendant.

Case No. 19-11724-MLB

Adversary No. 19-01105-MLB

**NOTICE OF TRIAL
AND ORDER SETTING DEADLINES**

1. Trial Setting. The above-captioned case is set for a one day¹ non-jury trial commencing at **9:30 a.m. on March 20, 2020** in the **United States Bankruptcy Court, 700 Stewart Street, Courtroom 7106, Seattle, Washington.**

¹ If counsel anticipates that the trial will take longer than the length of time set forth in this order, counsel must, within ten (10) days of the date of this order, notify the Court and opposing counsel. Counsel should docket a letter specifying the requested length of trial and indicating whether opposing counsel is in agreement.

1 **2. Compliance.** Counsel and parties are advised that failure to comply with the procedures
2 and deadlines set forth in this order, including the duty to provide the Court with updated documents as
3 necessary, may result in adverse evidentiary rulings, and/or dismissal of the action. **Trials may be**
4 **stricken and the case dismissed with prejudice or relief entered without further notice, and/or**
evidence excluded, for failure to comply with this order. Counsel (and *pro se* parties) shall advise
chambers in writing of any change of address and/or telephone number.

5 **3. Pretrial Deadlines.**

6 **a. Disclosures.**

7 **1. Expert Disclosures.** All parties shall make the expert disclosures required by
8 Federal Rule of Civil Procedure 26(a)(2) and Federal Rule of Bankruptcy Procedure
9 7026 by **January 20, 2020.**

10 **2. Non-expert Disclosures.** All parties shall make the disclosures required by Federal
11 Rule of Civil Procedure 26(a)(3) and Federal Rule of Bankruptcy Procedure 7026 by
February 4, 2020.

12 **b. Business Records.** Any party intending to offer a record into evidence by declaration
13 pursuant to Federal Rules of Evidence 902(11), 902(12), and 803(6) must provide
14 written notice of that intention to all adverse parties, and must make the record and
declaration available for inspection on or before **February 4, 2020.**

15 **c. Discovery Cutoff.** All discovery shall be completed on or before **February 4, 2020.**

16 **d. Dispositive Motions.** Dispositive motions shall be served and the hearing held no
17 later than **February 19, 2020.**

18 **e. Interpreters.** A statement identifying the name, address, telephone number and
19 summary of qualifications of any interpreter a party expects to use at trial shall be filed
no later than **March 6, 2020.** The statement shall also identify the witness for whom
the interpreter is needed and the non-English language to be interpreted.

20 **f. Trial Briefs and Proposed Findings of Fact and Conclusions of Law.** Trial briefs
21 shall be filed no later than **March 13, 2020.** Trial briefs shall include, as an attachment,
proposed findings of fact and conclusions of law.

22 **g. Motions in Limine.** Motions *in limine* to be heard at the commencement of trial shall
23 be filed no later than **March 10, 2020.** Responses, if any, shall be filed no later than
24 **March 13, 2020.**

25 **h. Pretrial Order.** Counsel shall comply with Local Bankruptcy Rule 7016-1(b) in the
filing of a proposed pretrial order. The pretrial order is due by **March 13, 2020.** If

you fail to file the pretrial order by this date, the trial may be stricken. The pretrial order must contain a confirmation of each party's consent to final adjudication and entry of final orders or judgments by the bankruptcy judge.

- i. **Exhibits.** An identification of each document or other exhibit, including summaries of other evidence – separately identifying those items the party expects to offer and those it may offer if the need arises – shall be provided to all adverse parties by **March 6, 2020.**

1. **Identification.** A number sequence shall be used for all exhibits of all parties, with prefixes indicating the offering party (i.e., P1, P2, P3, etc; D1, D2, D3, etc.).
2. **Format.** Exhibits shall be pre-marked in accordance with this order. Any documentary exhibits that can reasonably be submitted on 8-1/2 by 11 inch paper shall be, with text on one side only.
3. **Submission of Exhibits to Court.** Parties intending to offer exhibits **shall submit three (3) sets of exhibits in 3-ring binders**, as follows: one (1) original and two (2) copies brought to the Court, 700 Stewart Street, Room 6301, Seattle, Washington. The binders shall include an **index** of the exhibits, and **identifying tabs** using the number sequence as set forth in subsection (1) above. Submissions shall be made by the **close of business on March 18, 2020.**

4. **Final Pretrial Conference.** A final pretrial conference will be held on **March 5, 2020 at 1:30 p.m.** Topics to be discussed include trial procedure, anticipated motions in limine, and other issues regarding timing and presentation of witnesses. *See* Fed. R. Civ. Proc. 16(e). Counsel may appear at the final pretrial conference by telephone. The instructions and guidelines are as follows:

Instructions

- (1) Dial: 1-888-363-4749
- (2) Enter Access Code: 9365479#
- (3) Press the # sign
- (4) Enter Security Code when prompted: 8574#
- (5) Speak your name when prompted

Guidelines

- (1) Use a land line phone and not a cell phone, if possible. **Do not use a speaker phone.**
- (2) Make the call from a quiet area where background noise is minimal.
- (3) Wait until the judge calls your case before speaking.
- (4) Do not put the phone on hold at any time after the call is connected.
- (5) In the event you are unable to connect to the conference call after following the above procedures, please contact chambers at (206) 370-5310.

5. **Settlement.** The parties shall promptly notify the Court if the matter is settled.

1 **6. Confirmation.** The plaintiff shall confirm that the trial is going forward not later than
2 **12:00 p.m. March 16, 2020** and so advise all parties. **Failure to comply may result in the trial being**
3 **stricken and the case dismissed *with* prejudice.** Please confirm the trial using the E-Docket
4 Confirmation Process. For information concerning the E-Docket Confirmation Process, please visit the
Court's website at <http://www.wawb.uscourts.gov>. *Pro se* parties may confirm a trial by contacting
chambers, at (206) 370-5310.

5 **7. Continuances.** Typically continuances are granted only by agreement.

6 **a. Agreed Continuance Request.** A party seeking a continuance must contact Judge
7 Barreca's Courtroom Deputy, Kim Kelley, at (206) 370-5311, for available future trial dates. **It is**
8 **the parties' responsibility to confer and agree on future trial dates. Until the parties notify**
9 **chambers that they have agreed on future trial dates provided by Ms. Kelley, the trial will**
10 **NOT be continued.** The trial is not officially continued until the parties docket a letter reflecting
11 their agreement to the continued trial dates and the courtroom deputy makes a minute entry
continuing the trial. Once the trial is continued, **counsel are responsible for agreeing to and**
12 **preparing an amended scheduling order**, which should be submitted to Judge Barreca for
signature as a received unsigned order. The amended scheduling order template is available from
Kim Kelley.

13 **b. Contested Continuance Request.** A contested request for a continuance must be made
14 by motion and noted for hearing prior to the date of trial. Unless the trial has been continued by
15 order of the Court, the parties will be expected to appear for trial as scheduled.

16 **8. Discovery Disputes.** In addition to the local and federal rules governing discovery
17 disputes, the parties shall comply with Judge Barreca's required procedures for discovery disputes
18 provided for on the court's website at <http://www.wawb.uscourts.gov/judge-marc-barreca>.

19 ///END OF ORDER///

20 **TO BE SERVED BY THE CLERK ON ANY PRO SE PARTY VIA THE BNC.**